

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

In re

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J.A.R. CONCRETE, INC.,

Case No. 23-30242-HCM-11

Debtor.

§

**RESPONSE TO ALLY BANK'S MOTION FOR
ADEQUATE PROTECTION OR IN THE ALTERNATIVE
RELIEF FROM THE AUTOMATIC STAY**

TO THE HONORABLE H. CHRISTOPHER MOTT, UNITED STATES BANKRUPTCY JUDGE:

Now comes J.A.R. CONCRETE, INC. and through its attorney undersigned file this Response to ALLY BANK's Motion for Adequate Protection or in the Alternative Relief from the Automatic Stay, and would show:

I-VII.

Debtor admits the averments of Motion paragraphs 1 through 7.

VIII-XII.

Debtor denies the averments of Motion paragraphs 8 through 12.

XIII.

Debtor has equity in the vehicle and it is needed for an effective reorganization.

WHEREFORE, PREMISES CONSIDERED, Debtor prays that relief from stay be denied.

Respectfully submitted this 7th day of June, 2023.

/s/ 

E.P. BUD KIRK

State Bar No. 11508650

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(915) 584-3773

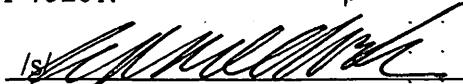
(915) 581-3452 facsimile

budkirk@aol.com

Attorney for the Debtor-in-Possession

CERTIFICATE OF SERVICE

I do hereby certify that on the 7 day of June, 2023, I did cause a copy of the foregoing Ally Bank's Motion for Adequate Protection or in the Alternative Relief from the Automatic Stay to be mailed to U.S. Trustee, 615 E. Houston St., Ste. 533, San Antonio, TX 78205-1539; to Michael Colvard, Subchapter V Trustee, Weston Center, 112 East Pecan Street, Ste. 1616, San Antonio, TX 78205; to J.A.R. Concrete, Inc., 8000 Escobar, El Paso, TX 79907; to US Fire Insurance Company, c/o Gregory M. Weinstein, 8350 N. Central Expressway, Ste. 1550, Dallas, TX 75206; to Wells Fargo Equipment Finance, Inc., c/o James W. Brewer, P.O. Box 2800, El Paso, TX 79999-2800; to City of El Paso, c/o Don Stecker, 112 E. Pecan Street, Ste. 2200, San Antonio, TX 78205; to 4Rivers Equipment, LLC, c/o Clyde A. Pine, Jr., P.O. Drawer 1977, El Paso, TX 79950-1977; to Tri-State Electric LTD, c/o James M. Feuille, ScottHulse PC, P.O. Box 99123, El Paso, Texas 79999-9123; to AIS Portfolio Services, LLC, Attn: Ally Bank Department, 4515 N. Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118; to Ford Motor Credit Company, LLC, c/o Stephen G. Wilcox, P.O. Box 201849, Arlington, TX 76006; to Wallwork Financial, c/o Christopher V. Arisco, 420 Throckmorton Street, Suite 1210, Fort Worth, Texas 76102; to GECU, c/o Miranda & Maldonado, P.C., 5915 Silver Springs, Bldg. 7, El Paso, TX 79912; to Clowe & Cowan of El Paso, LLC, c/o Michael J. Shane, 4695 N. Mesa Street, Suite 100, El Paso, Texas 79912; to C & R Distributing, LLC, c/o Michael J. Shane, 4695 N. Mesa Street Suite 100, El Paso, Texas 79912; to 1st Source Bank, c/o Jarom J. Yates, 2323 Victory Avenue, Suite 700, Dallas, TX 75219; to Nueces Power Equipment, c/o Joseph D. Austin, 201 Main Street, Suite 2500, Fort Worth, TX 76102; to Accent Landscape Contractors, Inc. ("ALC"), c/o Merwan N. Bhatti, P.O. Drawer 1977, El Paso, Texas 79999-1977; to Deere & Company, c/o Phillips Murrah P.C., 101 North Robinson Avenue, Ste. 1300, Oklahoma City, OK 73102; to CIT Bank, c/o Larry Chek, 8350 N. Central Expressway, Ste. 1111, Dallas, TX 75206; to Weldbros Company, c/o Michael J. Shane, 4695 N. Mesa Street, Suite 100, El Paso Texas 79912; to Crum & Forster, c/o Winstein Radcliff Pipkin, LLP, 8350 N. Central Expressway, Ste. 1550, Dallas, TX 75206; to Texas Department of Transportation, c/o Layla D. Milligan, P.O. Box 12548, Austin, Texas 78711-2548; to Caterpillar Financial Services Corporation, c/o John R. Nelson, 607 W. 3rd Street, Ste. 2500, Austin, TX 78701; to Caterpillar Financial Services Corporation, c/o Michelle D. Esparza 221 N. Kansas Street, Ste. 2000, El Paso, TX 79901; to Internal Revenue Service and the Small Business Administration, c/o Steven Bass, 903 San Jacinto Blvd., Suite 334, Austin, TX 78701; and to Ally Bank, c/o Patrick M. Lynch, 2001 Bryan St., Ste. 1800, Dallas, TX 75201.

/s/ 

E.P. BUD KIRK